

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

AUSTIN GALVAN,

Defendant.

8:11CR304

ORDER

This matter is before the court on defendant's MOTION TO EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [25] which is currently set for September 26, 2011. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 14-day extension. Pretrial Motions shall be filed by October 11, 2011.

IT IS ORDERED:

1. Defendant's MOTION TO EXTEND TIME IN WHICH TO FILE PRETRIAL MOTIONS [25] is granted. Pretrial motions shall be filed on or before **October 11, 2011**.
2. Defendant is ordered to file a waiver of speedy trial as soon as practicable.
3. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **the time between September 15, 2011 and October 11, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16th day of September, 2011.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge